DISCUSSION PAPER # 1

PROGRAM EVALUATION ON USAID ASSISTANCE FOR ELECTIONS IN POST-CONFLICT SOCIETIES

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EVALUATION PROPOSAL FOR STUDY OF USAID ASSISTANCE FOR ELECTIONS IN POST-CONFLICT SOCIETIES

1.   Introduction

This study is a part of a comprehensive evaluation of political rehabilitation of war-torn societies, and the role of USAID in the process, being undertaken by the Center for Development Information and Evaluation of USAID. The other components of the evaluation are: human rights monitoring, building an internal security apparatus based on the rule of law, demobilization and reintegration of ex-combatants, and reconciliation at the community level.

2.   The Objectives of the Study

The main objectives of the study are to: (a) systematically review the experience of USAID and other donors in supporting multi-party elections to promote democracy and reconciliation in post-conflict societies; and (b) develop appropriate policy and operational guidelines which can be used by USAID staff and contractors.

3.   Questions to be Answered by the Study

In attempting to ensure that future post-conflict elections i) satisfy the test of acceptability, ii) do not aggravate social and political cleavages, iii) promote reconciliation and iv) contribute effectively towards sustainable and inclusive democracy, the study will respond to the following broadly defined questions. These questions were selected because they are relevant, researchable and actionable.

1.   Given the fact that the timing of elections in war-toen societies is primarily determined by political considerations, what contextual factors - political, social and institutional - should be taken into account by USAID in advising about the appropriateness and timing of elections.

2.   What are the critical security issues in post-conflict societies which should be examined by USAID for planning elections?

3.   What changes, if any, are needed in the election process (i.e. voter registry, electoral authority, international observation) in post-conflict societies to ensure fair and credible elections?

4.   What changes, if any, are needed in the focus, process and duration of technical

assistance provided by USAID for elections in war-torn societies?

5.   What voting or constitutional models (i.e. proportional system, reserved seats, power sharing) can be mentioned by USAID when consulted about electoral legislation to ensure adequate representation to former warring factions in the government?

6.   What are measures can be recommended by USAID (i.e. establishing codes of conduct, cadres training) so that elections do not aggravate existing ethnic, geographic and ideological tensions and promote reconciliation in the country?

7.   What major democracy-promoting activities (i.e. civic education, human rights monitoring, support for mass media) can be supported by USAID along with elections to strengthen democratization and reconciliation processes?

8.   What steps can be taken by USAID so that the structures built and information generated during elections can be sustained over time?

9.   What steps can be taken by USAID to reduce the cost of its electoral assistance without sacrificing efficiency and effectiveness?

10.   What steps can be taken by USAID to improve donor coordination for electoral assistance?

4.   The Study Methodology

The study will be based on multiple-country case studies of elections held in the aftermath of civil wars.

Necessary data, information and ideas will be gathered along the lines suggested above through literature reviews, key informant interviews and fieldwork:

> a. Secondary Sources of Information: Considerable data, information and documentation exists on practically all the countries. With the assistance of CDIE/DI/R&RS, different sources of information will be tapped: i) USAID data, reports and documents available in DI archives; ii) reports, documents and information available at non-governmental organizations, research institutions and multi-lateral and bilateral agencies; iii) articles published in news magazines and periodicals; iv) articles published in scholarly journals and books.

> b. Semi-Structured Interviews: Team members will conduct interviews with key

informants (i.e. people who are knowledgeable about the pertinent issues) including concerned USAID staff, PVOs and private sector firms involved in USAID programs, officials and experts of multilateral and bilateral organizations, and academic experts and, where feasible, with political actors. CDIE experience shows that considerable inside information can be obtained from such key informants.

c. Fieldwork: Limited but intensive fieldwork will be conducted in the case study countries, where this is deemed necessary. A decision will be made after steps a) and b) are concluded. For this purpose, a two-member team will visit the country concerned to meet with USAID staff, government officials and other informed people. It will also interview the institutions implementing the relevant programs. The teams will be joined by a local expert to provide in-depth information.

5.   Country Focus

The study will prepare case studies based on secondary data and interviews for the six countries listed below which were selected on the basis of the following criteria: a) a civil war has ended through a negotiated settlement or an outright victory of one party; b) at least two years have passed since the election; and c) data can be generated without intensive fieldwork.

- Angola   (1992)
- Cambodia   (1992)
- El Salvador   (1993-4)
- Ethiopia   (1992)
- Mozambique   (1994)
- Nicaragua   (1990)

6.   Analytical Focus of Country Case Studies

In order to provide the relevant and issue-focused evidence, the analytical and comparative assessments, and the lessons of experience necessary to support answers to the above questions, the country case studies will focus on the following themes elaborated in "Guidelines for Preparation of Country Case Studies" which is prepared as an attachment:

1.   The Country Context

This section should provide precise context focussing on those aspects that are directly relevant to the electoral process and its impact. Detailed information about the social, economic and political context can be presented in an annex.

    a. Social and Economic Context
    b.The Nature of Conflict
    c. Political Chronology
    d. Political Scene at the Time of Elections
    e. Human Rights Situation

2.   <u>Elections</u>

This section should focus on the electoral process and the role of international assistance in it. The discussion should be informative as well as analytical.

    a. Initiative
    b. International Electoral Assistance
    c. Electoral Institutions
    d. Conduct of Elections
    e. Election Outcome
    f. Effects of International Assistance

3.   <u>Consequences for Democracy</u>

This section should discuss how the conduct of elections has directly or indirectly affected the political system and processes. A distinction should be made between major post-conflict political developments and those outcomes that might be attributable to the elections themselves and to the particular manner in which they were organized. The focus of the chapter will be on the latter.

    a. Executive Branch
    b. Representative Bodies
    c. Electoral Authorities and Future Elections
    d. Local Authorities
    e. Judiciary
    f. Political Parties
    g. Mass Media
    h. Civic Organizations

4. <u>Consequences for Reconciliation Process</u>

This section should explore the overall effects of elections and their outcomes on the national reconciliation process. Such effects can be both positive and negative. The report should particularly examine the specific connections between the electoral outcome and the areas mentioned below.

      a. Implementation of Peace Accord
      b. Demobilization and Resettlement of Ex-combatants
      c. Repatriation of Refugees and Return of Internally Displaced Persons
      d. Ethnic/Religious/Regional Cleavages

5. <u>Strategic and Technical Lessons/Recommendations</u>

Each report should highlight the principal strategic lessons which are key to understanding successes and failures of elections in facilitating democracy and reconciliation, as well as the operational technical lessons which can improve the management of the electoral and accompanying processes.

This section should seek to examine the effect of international electoral assistance on the conduct and outcomes of the elections on the one hand, and the effects of the elections in promoting reconciliation and bolstering democracy on the other. Attention should be given to those experiences that distinguish the purposes and practices of post-conflict elections from other routine elections. The lessons that are more likely to have general replicability should be emphasized.

This section should start by answering the ten questions stated above in Section Three. It is the aim of the study to search for an adequate response to all of them. Then, country authors should prioritize or highlight the main recommendations stemming from the response to the questions.

7. **Outputs of the Study**

      a. A synthesis review on the experience of USAID in assisting elections in war-torn societies.

      b. Country case studies of the context, conduct and consequences of elections in post-conflict situations; and

      c. Guidelines for USAID for assisting in post-conflict elections.

8. Time Table

- Expert Workshop   April 18, 1996
- Draft Proposal   April 25, 1996
- USAID Workshop   May (1st week) 1996
- Purchase orders\contracts   June (1st week) 1996
- Draft Country Reports   August 31, 1996
- Workshop   Sept (2nd week) 1996
- Fieldwork (LAC, ANE & Africa)   Sept-Nov 1996
- Investigators Workshop   Nov (4th week) 1996
- USAID Briefing   Nov (4th week) 1996
- Electronic country working papers   Dec (2nd week) 1996
- Draft Synthesis Report   Feb 28, 1997
- Briefings for USAID   March (2nd week) 1997
- Publication of *Highlights*   March (3rd week) 1997
- Guidelines for USAID   April (4th week) 1997

GUIDELINES FOR PREPARATION OF COUNTRY CASE STUDIES

A.   General Observations

1)   A country report should be 120 pages maximum (excluding appendices) double spaced. The suggested number of pages for each section is indicated in parentheses. As indicated, at least one third of the report should be devoted to the section on "Strategic and Technical Lessons/ Recommendations."

2)   As far as possible, the report should discuss sections in the order in which they appear in these guidelines. Whenever an item is not relevant, or information is of poor quality, it should be mentioned.

3)   Authors are responsible for collecting necessary information and data through library research and interviews. However, CDIE will provide them with relevant reports and other material available from USAID, UN, NDI and IFES. A detailed list of sources consulted and pertinent scholarly literature should be placed in the appendix.

4)   Style guidelines will be provided by CDIE.

B.   The Country Case Studies

1)   The Country Context (approx. 15 pages)

This section should provide precise context focussing on those aspects that are directly relevant to the electoral process and its impact. Detailed information about the social, economic and political context can be presented in an annex.

a)   Social and Economic Context: Size of the population and of population ages 18+; displaced populations and refugees; ethnic and geographic divisions; general state of the economy after the conflict; state of communications and transport infrastructures.

b)   The Nature of the Conflict: Background and duration of conflict; scale of destruction; underlying causes of conflict; factors contributing to the end of the conflict; terms of peace accord; role of foreign powers in facilitating the peace accord; and formal and informal devices for monitoring implementation of accord (i.e. peacekeeping missions, arrangement of a "friendly countries" club).

c)   Political Chronology: List of main political events since the end of fighting up

to the elections, including: the formation of an interim government; approval of electoral legislation; formation of political parties; mass demonstrations and general strikes; violent turmoil.

d)   Political Scene at the Time of Elections: Strength of civil administrative structures both central and local throughout the country (i.e. was the entire territory under the control of the government?); role of the army; presence of ex-combatants; state of demobilization and disarmament; freedom of movement throughout the territory as affected by political and physical factors (i.e. mined lands, check points, combatants still active); political parties; Church organizations, civil organizations and other NGOs relevant to the electoral process; structure of the mass media.

e)   Human Rights Situation: Observance of human rights by military and law enforcement agencies; effectiveness of Judiciary in protecting civil rights.

2)   Elections (Approx. 30 pages)

This section should focus on the electoral process and the role of international assistance in it. The discussion should be informative as well as analytical.

a)   Initiative: Elections included in peace accord, resulting from government initiative, by demand of the opposition or part of current constitutional agenda; consensus among the political elites about rationale, time and nature of elections; expectations of warring factions from elections both about their value and prospective winning, and; role of foreign powers in scheduling the elections.

b)   International Electoral Assistance: Package of electoral assistance and distribution of its main components among donors; focus and direction of this assistance; provisions for international electoral observers both before and during the polling period; costs; international and local organizations involved in the implementation of electoral assistance programs; donor coordination in setting the criteria for involvement, implementing assistance programs (i.e. dialogue, coordinating mechanisms) and deciding about consequences for the event of a negative outcome (i.e. threats favored or impeded because of bilateral relations of donors). (Coordination will more likely be found on program implementation level rather then the other two areas, particularly the last one, although reports should evaluate what was done in each of the three areas.)

c)   Electoral Institutions: Main contents of election law (i.e. limitations for eligibility both as a voter and candidate; electoral formulae for presidential,

parliamentary and local elections; voting procedure; participation of party representatives at the polling stations and counting of vote; claims and complaints procedures); international assistance for drafting election law (i.e. type of recommendations forwarded to local experts and politicians); the electoral authority (i.e. integration and responsibilities of electoral bodies at national and lower levels); quality of administrative structures responsible for the conduct of the election (i.e. presence throughout the country; basic office endowment; polling arrangements in public buildings or open spaces like stadiums and streets; training of electoral officers and party representatives); previous experience of country with democratic institutions and elections (i.e. brief history with competitive and noncompetitive elections; use of previous constitutional provisions or rules).

d)   The Conduct of the Elections: Voter registration (i.e. type and quality of registry; excluded populations; political conflicts regarding registration); access to media by all parties; use of public resources in campaigning by government party; intimidation of voters by civil or military state agents, party agents of other social actors; holding political meetings and public demonstrations during the campaign (i.e. clashes between parties, violence); effectiveness of police and/or military forces in guaranteeing the security of the election; participation of international observers and local monitors (i.e. role of NGOs and religious or other organizations in monitoring the campaign and the voting); vote counting and declaration of results (i.e. first counting at the polling stations or otherwise; participation of party representatives and availability of certified copies of voting tallies; timing of counting and announcing results).

e)   Election Outcome: Election results (i.e. brief summary with mention of only very relevant regional, urban-rural or ethnic differences); acceptance of results by parties to the conflict (claims and complaints for irregularities and fraud); the verdict of international electoral observers both from inter-governmental and non-governmental organizations (i.e. acceptability, claims for irregularities and fraud; verdict unanimous or controversial); effects of post-election situation in conflict resolution (i.e. pending from war times, or other regarding the implementation of peace accord); effects on institution strengthening (i.e. electoral authority and administration; political parties; civil organizations).

f)   The Effects of International Assistance: Contribution of international electoral assistance to the freedom and fairness of the election (i.e. identify areas of greater effectiveness in: voter registration; civic education; training of party cadres and electoral officers; production of voting materials; helping in negotiations among political leaders on codes of conduct or the settlement of

disputes on electoral matters); potential for future elections without external assistance (i.e. areas where assistance will be most and least necessary); prospects for increased respect for human rights in broader sense (i.e. improvements with regard to mass media development; reform of police and Judiciary; development of civil organizations with broader scopes due to the election).

3) **Consequences for Democracy and Governance** (Approx. 20 pages)

This section should discuss how the conduct of elections has directly or indirectly affected the political system and processes. A distinction should be made between major post-conflict political developments and those outcomes that might be attributable to the elections themselves and to the particular manner in which they were organized. The focus of the chapter will be on the latter.

a)   Executive Branch: Enhancing the legitimacy of the Executive branch; prospect for stability of the government; willingness and capacity to introduce economic and political reforms which were contemplated in the peace accord or were negotiated between government and opposition previous to the elections.

b)   Representative Bodies: Entry in Parliament of former combatants or formerly excluded political forces; formulation and negotiation of legislation about matters included by the peace accord and/or relevant to the electoral system (i.e. election law; political parties; mass media ownership and control).

c)   Electoral Authorities and Future Elections: Capacitybuilding of the electoral authority and administration to ensure that they will go beyond the current electoral event (i.e. political independence or balance in the integration of electoral authorities; administrative capacity to operate in forthcoming local and other elections; organization of the voter registry; recruitment and training of a body of electoral officers; measures for consolidation of standards for electoral procedures).

d)   Local Authorities: Extent of representation of different parties in local government; change in role and position of chiefs and elders; change in the political capacity of other local or community leaders (church, civic and military).

e)   Judiciary: Effort toward reform of Judiciary for enhancement of application of human rights (i.e. new legislation; implementation of peace accord contents; mounting political pressures from political parties and civic organization).

f)   Political Parties: Inter-party relations (i.e. changes in the political definition and structure of older parties which played in a competitive milieu, and also of single party organizations; for instance, five out of six countries included in the project had a single party system of government before the elections); emergence and consolidation of new parties; unfolding patterns of inter-party relations (i.e. confrontation; negotiation; consensus).

g)   Mass Media: Changes in media structure (i.e. ownership, size and diversification); increased freedom of the press (i.e. more participation and open to societal pluralism).

h)   Civic Organizations: Enhanced role of civic organizations concerned with issues of government, previously existing in the country, or that emerged at the occasion of the election (i.e. human rights; participation of women; monitoring of elections).

4)   Consequences for Reconciliation Process (Approx. 15 pages)

This section should explore the overall effects of elections and their outcomes on the national reconciliation process. Such effects can be both positive and negative. The report should particularly examine the specific connections between the electoral outcome and the areas mentioned below.

a)   Implementation of Peace Accord: Adherence to the terms of the peace accord by the government and opposition; adherence to original agenda for implementation of accord; demands from different groups most directly affected by application of accord (i.e. landless peasants, landowners, ex-combatants scheduled for pensions; displaced populations).

b)   Demobilization and Resettlement of Ex-Combatants: Creation of an integrated national defense force improved or worsened after the election; reintegration programs for ex-combatants (i.e. training, employment housing, land reform) improved or worsened.

c)   Repatriation of Refugees and Return of Internally Displaced Persons: Pace of resettlement affected by the election; problems and tensions (i.e. new demands by refugees and IDPs for enlisting in the voter registry for future elections).

d)   Ethnic/Religious/Regional Cleavages: Effects of elections on polarization and cleavages along ethnic, religious or regional lines.

5) Strategic and Technical Lessons/Recommendations (Approx. 40 pages)

Each report should highlight the principal strategic lessons which are key to understanding successes and failures of elections in facilitating democracy and reconciliation, as well as the operational technical lessons which can improve the management of the electoral and accompanying processes.

This section should seek to examine the effect of international electoral assistance on the conduct and outcomes of the elections on the one hand, and the effects of the elections in promoting reconciliation and bolstering democracy on the other. Attention should be given to those experiences that distinguish the purposes and practices of post-conflict elections from other routine elections. The lessons that are more likely to have general replicability should be emphasized.

This section should start by answering the ten questions stated below which were included in the research proposal. It is the aim of the study to search for an adequate response to all of them. Then, country authors should prioritize or highlight the main recommendations stemming from the response to the questions. The ten questions are as follows:

1. Given the fact that the timing of elections in war-torn societies is primarily determined by political considerations, what contextual factors - political, social and institutional - should be taken into account by USAID and\or other international agencies in advising host government about the appropriateness and timing of elections.

2. What are the critical security issues in post-conflict societies which should be examined by USAID and\or other international agencies for planning elections?

3. What changes, if any, are needed in the election process (i.e. voter registry, electoral authority, international observation) in post-conflict societies to ensure fair and credible elections?

4. What changes, if any, are needed in the focus, process and duration of technical assistance provided by USAID and\or other international agencies for elections in war-torn societies?

5. What voting or constitutional models (i.e. proportional system, reserved seats, power sharing) can be mentioned by USAID and\or other international agencies when consulted about electoral legislation to ensure adequate representation to former warring factions in the government?

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6.   What are measures can be recommended by USAID and\or other international agencies (i.e. establishing codes of conduct, cadres training) so that elections do not aggravate existing ethnic, geographic and ideological tensions and promote reconciliation in the country?

7.   What major democracy-promoting activities (i.e. civic education, human rights monitoring, support for mass media) can be supported by USAID and the international community along with elections to strengthen democratization and reconciliation processes?

8.   What steps can be taken by USAID and\or other international agencies so that the structures built and information generated during elections can be sustained over time?

9.   What steps can be taken by USAID and other international agencies to reduce the cost of its electoral assistance without sacrificing efficiency and effectiveness?

10.   What steps can be taken by USAID and other international agencies to improve donor coordination for electoral assistance?